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PATENT  
ATTORNEY DOCKET NO. 041465-5061

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
)Tadashi NOGUCHI *et al.* )  
)Application No.: 09/266,780 )  
)Filed: March 12, 1999 )  
)For: INFORMATION RECORDING )  
APPARATUS, INFORMATION )  
RECORDING AND REPRODUCING )  
APPARATUS AND RECORD MEDIUM )

Confirmation No.: 6235

Group Art Unit: 2615

Examiner: C. Onuaku

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

AMENDMENT

In response to the Office Action dated March 14, 2003 (Paper No. 15), the period for response to which having been extended through September 15, 2003 (September 14 being a Sunday) by a Petition for Extension of Time and fee filed concurrently herewith, please amend the above-identified application as follows:

10/03/2003 BALEXAND 00000001 500310 .09266780

01 FC:1253 930.00 DA

1-WA/2052107.1

Received from &lt; &gt; at 9/22/03 4:47:25 PM [Eastern Daylight Time]

FROM MORGAN, LEWIS & BOCKIUS

(MON) 09. 22' 03 16:55/ST. 16:54/NO. 3561705463 P 1

Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
Tel. 202.739.3000  
Fax: 202.739.3001  
www.morganlewis.com

**Morgan Lewis**  
C O U N S E L O R S A T L A W

**FAX MESSAGE**

**Send To:**

Name: Mr. Christopher Onuaku

FAX Number: 703-746-5735

Firm: U.S. Patent & Trademark Office

Telephone Number: 703-308-7555

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**From:**

Name Todd P. Taylor

Floor: 4

Operator Sending:

Telephone Number: 202-739-5271

Time Sent:

Date Sent: September 22, 2003

Number of Pages (INCLUDING COVER PAGE):

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**Comments:** Mr. Onuaku,

As requested, please find the response of September 15, 2003 attached.

-Todd Taylor

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**PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:**

In re application of: Tadasbi NOGUCHI *et al.*

Serial No.: 09/266,780

Group: 2615

Filed: March 12, 1999

Examiner: C. Onuaku

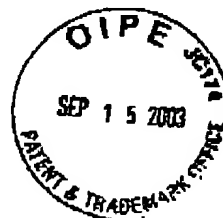
For: INFORMATION RECORDING APPARATUS, INFORMATION RECORDING  
AND REPRODUCING APPARATUS AND RECORD MEDIUM

1. Amendment Transmittal Form including three-month extension of time and authorization to charge Deposit Account # 50-0310 for the \$930.00 three-month extension of time fee.
2. Amendment responsive to the Office Action dated March 14, 2003.

Dated: September 15, 2003

Attorney Docket No.: 041465-5061

TPT/ac



**DOCKETED**

By: *SB* Date: *9-16-03*

PATENT  
ATTORNEY DOCKET NO. 041465-5061

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
	)	
Tadashi NOGUCHI <i>et al.</i>	)	Confirmation No. 6235
	)	
Application No.: 09/266,780	)	Group Art Unit: 2615
	)	
Filed: March 12, 1999	)	Examiner: C. Onuaku
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For: INFORMATION RECORDING	)	
APPARATUS, INFORMATION	)	
RECORDING AND REPRODUCING	)	
APPARATUS AND RECORD MEDIUM	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT TRANSMITTAL FORM**

- Transmitted herewith is an Amendment responding to the Office Action dated March 14, 2003.
- Additional papers enclosed:
  - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_\_\_\_ references included
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
  - ☐ Change of Attorney Docket Number

ATTORNEY DOCKET NO.: 041465-5061

Application No.: 09/266,780

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input checked="" type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$930.00.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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Application No.: 09/266,780

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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	20	minus	20	0	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	4	minus	4	0	x \$84 each=	+ \$
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$
Reduction by 1/2 for filing by a small entity						- \$
TOTAL FEE =						\$ 0

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Please charge Deposit Account No. 50-0310 the amount of \$930.00 for three month extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS &amp; BOCKIUS LLP

Dated: September 15, 2003

By: Todd P. Taylor  
Reg. No. 48,513

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